

**Re. Box V.****1 Reference is made to the following documents:**

- D1 : US 2003/069934 A1 (SUOTULA JANNE ET AL) 10 April 2003 (2003-04-10)
- D2 : 02/43351 A (AGRAWAL ANURAAG ;AT &T WIRELESS SERVICES INC (US)) 30 May 2002 (2002-05-30)
- D3 : EP 1 372 316 A (SIEMENS INF &;COMM NETWORKS) 17 December 2003 (2003-12-17)
- D4 : EP 1 372 095 A (SIEMENS INF &;COMM NETWORKS) 17 December 2003 (2003-12-17)

**2 INDEPENDENT CLAIMS 1 and 5**

2.1 The present application does not fulfill the requirements of Article 33(1) PCT, since the object of claim 1 is not novel in the sense of Article 33(2) PCT. Document D1 discloses (the references in brackets relate to this document):

1. A distribution device for distributing short messages to an IP-compatible terminal (FIG. 1, p.1 /sect. 2, 3), with
  - a) a receiving apparatus, which receives short messages for subscribers (FIG. 1, p.1/sect. 3, 11, 12),
  - b) an interrogation device which, after the arrival of a short message for a subscriber, asks a registration device for registering a subscriber, whether the subscriber is "online" (FIG.4, p.1 /sect. 2, p.2/sect. 19, 20, p.3/sect. 58-p.4/sect. 74),
  - c) a control device, which evaluates the result of the interrogation and forwards a short message to the subscriber or buffers it, depending on the result of the evaluation (p.5/sect. 99, 104, 109, 113).

The aforementioned objections also extend to the independent claim 5 associated with claim 1.

- 2.2 Documents D2 (p.4/line 17 - p.6/line 22, page 8, lines 7 - 18), D3 (columns 7-8 / paragraph 24, columns 11-12 / paragraph 39, columns 14-15 / paragraph 52) and D4 (column 8 - 9 / paragraph 10, column 19 / line 42 - column 20 / line 2) also disclose objects which are relevant for claim 1.

### 3 DEPENDENT CLAIMS 2-5

Claims 2-5 do not contain any features, which in combination with the features of any claim to which they relate, fulfill the requirements of the PCT in relation to novelty or inventive activity;

D1 (p.2/sect. 21-31) discloses a buffering as well as a selective forwarding of short messages via an IP network and a circuit switched network.